



## **SHREWSBURY PLANNING BOARD SHREWSBURY, MASSACHUSETTS**

### **MINUTES**

Regular Meeting: August 7, 2003 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

**Present:** Melvin P. Gordon, Chairman  
Jonathan B. Wright, Vice-Chairman  
Jill R. Myers, Clerk  
Kevin F. Capalbo  
Stephan M. Rodolakis

**Also Present:** Eric Denoncourt, Engineer/Planner

**Absent:** John D. Perreault, Town Engineer

Mr. Gordon opened the meeting at 7:00 P.M.

#### **1. Review and Approve Minutes**

The Planning Board noted that Minutes will be ready for approval at their next meeting.

#### **2. Signed bills – no bills**

#### **3. Meetings and Hearings**

##### **7:00 P.M. Board Member Comments**

There were no comments from the Board.

##### **7:05 P.M. Sara (Howe) Road Definitive Plan for an Existing Private Undeveloped Road Continued Public Hearing (from April 10, 2003) (Decision Deadline: August 15, 2003)**

The Board voted to grant a continuance for this hearing to September 4, 2003 at 7:05 pm.

##### **7:10 P.M. Stonybrook Farm Open Space Informal Discussion**

Attorney David Brown introduced himself and Chris Cutler, from Cutler Brown Associates, and Peter Bemis from Engineering Design Consultants. He explained they requested Certificates of Compliance for Stonybrook Farm from the Conservation Commission, and discovered they had failed to record the Orders of Conditions at the Registry of Deeds.

After they conveyed the property, a number of land owners built retaining walls on their property and filled in wetlands. A subsequent landowner tried to build a pool on one of these properties, only to find the location of the proposed pool was in wetlands. In order to get this resolved, Cutler Brown is trying to rectify the problem by replicating the fill. There are only two places it could be replicated, which would be either on the respective lots where wetlands were filled or in the open space parcel. To replicate on the house lots would involve removing permanent structures, some sitting in wetlands. Mr. Brown stated the only viable option would be to replicate the wetlands in the open space parcel. On one property, the Conservation Commission has requested the replication be done in the location of the fill, which is approximately 6,000 square feet. When Cutler Brown approached the Engineering Department about this solution, it was suggested it might be acceptable to the Planning Board to replicate in the open space parcel. Cutler Brown is also proposing to deed to the town, as part of the open space parcel, a 3,000 square-foot piece of land which is part of Phase II. They'd be replicating 2,800 square feet and giving the Town an additional 3,000 square feet of upland area. He stated the open space land would be deeded to the Town when the roads are finished.

Mr. Gordon stated he has problems with this proposed solution because access to the open space parcel has been blocked off.

Mr. Brown replied it was not blocked off by Cutler Brown. Landscaping done by the owner of Lot 17 included a series of mounds and pine tree plantings in the easement as protection from the abutment. Mr. Brown stated they have no ability to remove the trees, but the Town would have the ability because the easement will be deeded to the Town and couldn't be legally blocked.

Mr. Gordon responded the easement is owned by Cutler Brown at this time and the Town doesn't have to do anything with it except recommend it not be accepted at Town Meeting because it's not an easement. Mr. Gordon asked Mr. Brown why he feels the Town should be taking more wetland as open space.

Mr. Brown stated he is compensating the Town by giving upland as an accommodation to the Conservation Commission. Cutler Brown has no more area left in this subdivision to give the Town as open space. He explained the parcel is basically wetland, with a stream running through it, and would never be used as any kind of playing field.

Mr. Gordon asked why the Town should be willing to take it.

Mr. Brown explained the Town is under no obligation to take it. Cutler Brown is giving compensation on more than a 1:1 basis of upland area and increasing the open space parcel by more than 3,000 square feet. He stated he feels this is more than fair compensation. He has no ability to give the Town more land without impacting new home construction.

Mr. Brown stated he has brought this issue to the Planning Board in order to get a sense from the board that this is an acceptable solution. He stated he knows he will have to have the access to the open space parcel cleared, but that issue will be addressed by the Board when the road is complete. He added the Board will have a clear right of way at the time the plan is submitted.

Mr. Gordon asked how much of the total open space is usable for passive walking. Peter Bemis stated there is still good egress provided, as noted on the plan.

Mr. Brown stated they will present an ANR plan to deed the open space to the parcel before they convey those lots. He wants to know if this is an acceptable solution before he goes ahead with it. The Conservation Commission is looking for a decision from the Planning Board before they grant an Order of Conditions. The Commission would like to see the work done before this growing season.

Ms. Myers said she was concerned with the precedent it is going to set and asked Mr. Brown what would happen if nothing was done.

Mr. Brown stated if they did nothing, the Conservation Commission wouldn't issue Certificates of Compliance and they wouldn't be able to turn the subdivision over to the Town. The Conservation Commission wouldn't issue certificates on the road because they would be in a non-compliance situation.

Mr. Rodolakis moved to approve the proposal as noted on the plan, Ms. Myers seconded and the Board voted three to two not to approve the proposal.

Mr. Brown asked the Board what they proposed he do now, stating they were putting the current landowners in a difficult position as well. Mr. Gordon and Ms. Myers replied they should go back to the Conservation Commission. Those members in opposition stated the quality of the open space originally promised will be diminished by this plan.

**7:20 P.M.                    Ashford Crossing, Residential Development, Site Plan Approval**  
**Continued Public Hearing (from April 10, 2003)**  
**(Site Plan Approval Deadline: 65 days from close of hearing)**  
**(Special Permit Deadline: 90 days from close of hearing)**

Mr. Gordon opened the continued hearing at 7:30 pm.

Attorney Jack Collins, representing SSR Realty Advisors, introduced himself, Patrick Freydburg, Northeast Regional Manager of SSR Realty Advisors, and Ed Boiteau, Project Director from Rizzo Associates, Inc.

Mr. Boiteau stated they received written comments from the Engineering Department staff based on the last set of drawings presented to the board, which they have addressed. He presented revised plans to the board and explained as follows:

- After input from Chief LaFlamme, several fire hydrants have been relocated. In addition, he has approved the 40-foot separation between buildings.
- Street lights have been added to illuminate the parking lot area, as well as an additional light at the confluence of Yorkshire Terrace at the turn and additional illumination where the Boardwalk traverses the wetland area.

- Manhole covers will have water-tight gaskets and will be bolted down as part of the plan for the sewer construction.
- In response to concerns raised regarding accessibility to the detention basin for maintenance purposes, an access way has been provided from the driveway. This will be for maintenance only and will be gated. It will provide a direct maintenance connection to the detention basin.
- Regarding the locus plan on the drawings, they have provided detail of the existing developments surrounding this project on both the housing development and clubhouse plans.

Mr. Rodolakis asked Mr. Boiteau to explain the status of the snow storage issue.

Mr. Boiteau explained they told Chief LaFlamme they would work with him as far as planting layouts and types of plantings to make sure he has acceptable access to the sides of all the buildings. They will not store any snow on the sides of the buildings and have identified several locations for snow storage on their plans. Since the Board has previously expressed concern there might not be adequate snow storage for a large storm, the applicant has agreed to remove excess snow from the site.

Mr. Gordon inquired about the Sewer Commission's concern over the size of the sewer pipe across South Street.

Mr. Boiteau stated they have not gone to the Sewer Commission for a sewer permit. Using the plan, he pointed out the buildings that will be collected on the gravity line that will run parallel to the boardwalk and will tie into the existing sewer line in Yorkshire Terrace. Building #9 will flow by gravity and tie in at the same location. This existing sewer line will then flow into an existing gravity line that comes into the intersection of South Street and Route 9, and then crosses diagonally under the intersection and ties into the existing 10-inch line on the North side of Route 9. The 10-inch line flows parallel through a wetland area with a very flat gradient. The Town Engineer and Sewer Superintendent were concerned that, because of the flatness of the gradient, the line may not be able to take the additional flow, so they asked for an analysis of that flow. Rizzo Associates not only did an analysis of the flow from their project, but from all of the existing development that currently ties into it. This showed that, even with the addition of their flow, there was still 30% to 40% excess capacity in that line. The analysis has been accepted by the Sewer Superintendent. They will be seeking approval of the sewer design from the Sewer Commission in September.

Mr. Capalbo stated he was concerned about how the Board would monitor and enforce the removal of snow from the site.

Mr. Gordon replied it would be written into the decision and Mr. Denoncourt stated it would be a matter of keeping up with it.

Patrick Freydburg explained this past winter was an example of the worst case scenario for snow storage. They had to remove snow from their other site twice. This site has even more snow maintenance issues than their other site. They have no choice other than to remove it. They have to keep the parking lots clear, as well as provide access to the buildings. They will remove the snow when the snow amount is greater than the area available to receive it.

Mr. Gordon questioned whether they need an extension permit for the sewer line or a connection permit.

Mr. Boiteau replied they need an extension permit. Based on the number of units and flow amount, it triggers a review by the State Department of Environmental Protection (DEP). He explained it's a three-tiered approval process, needing Town approval and also approval from the Westborough Regional Sewer Authority and the Massachusetts DEP.

Mr. Gordon asked if the gated driveway was in compliance with the agreement with their neighbor.

Mr. Boiteau replied it was in compliance, and explained it comes off of a private way. There will be no pedestrian or motor vehicle access coming off the road.

Mr. Gordon inquired about the lighting on Building # 37 and #39 that would augment the existing lighting.

Mr. Freydburg explained there is lighting at the corners of these buildings as well as an existing light pole that is the same as the others along Yorkshire Terrace at the very end near where the three additional spaces are shown on the plan. The dark spot is on the west side of the access drive, in the center between the two buildings.

Regarding parking space issues, Mr. Gordon stated the proposed plan shows 6 berms, two at each end and two in the middle of the parking area, which satisfies the Board's concern about directing vehicular traffic safely through the parking area. However, the two berms in the middle, which are proposed to be grass plots instead of impervious cover, may be a problem because two spots are lost. The two spots at the end of the parking lot, proposed to replace the two lost spots, may not be approved because they're in the buffer zone. If the two spaces are lost, they'll be short two required spaces. The easterly-most berm on the North end does not extend as far to the end as does the other berm at that end. Mr. Gordon suggested extending the shorter berm to the end of the parking lot and adding two more spaces. That would allow people who are guests or even tenants to walk across the bridge and there would be three to five more spaces. If these are going to affect the Order of Conditions, we would back off on the middle spaces but not on the two ends. The decision will be written so that if the Conservation Commission won't allow it, the Board will understand.

Mr. Boiteau stated he agreed with Mr. Gordon, stating he would like to be able to extend the shorter berm and add more spaces.

Helen McLaughlin, 37 Old Laxfield Road, asked if they are putting lights on the new road that runs parallel to Old Laxfield Road and if so, are they going to be flood lights or block lights. She also asked them to explain the access road to the detention basin.

Mr. Boiteau replied they are the same lights they're providing inside their parking lots, which are low-level, 12-foot high shielded lights, concealed source, that will shine towards the development and not affect people on Old Laxfield Road. Regarding the access road, because of the grades coming down from the parking lot in the roadway, the question was whether or not it was a reasonable approach for a maintenance vehicle or tractor, or lawn mowing machine to mow around the detention basin.

They were asked to try to come up with a better way to access the basin, so they identified an access

way, intended to be a grassed area that will be maintained. They've shifted the trees to open the area up. There will be a gate there so no regular vehicles will be able to use it.

Ms. McLaughlin asked if the entrance and the access to the access road belong to South Meadow, and if so, is South Meadow in agreement with this.

Attorney Collins replied since they are all seeing the plans for the access road for first time, it has not been discussed. The agreement clearly was there wouldn't be access to the property for driving vehicles. This is a grassy area that looks like a bump, and he doesn't believe they'll have a problem with the neighborhood.

Ms. McLaughlin stated since there will be vehicles using the road, even though they would be maintenance vehicles only, she believes it should be discussed before the Board.

Mr. Chris Kirk, 30 Westwood Road, asked if Mr. Capalbo's suggestion regarding the issue of snow removal will be written into the Board's decision.

Mr. Gordon replied it will be included in the decision as previously stated.

The Board voted to close the hearing. A decision will be available at the next Planning Board meeting.

**7:20 pm                      Ashford Crossing, Clubhouse, Site Plan Approval  
Continued Public Hearing (from April 10, 2003)  
(Decision Deadline: 65 days from close of hearing)**

Mr. Gordon opened the hearing at 7:53 pm. Mr. Gordon confirmed with Attorney Collins the project has been presented to the Zoning Board of Appeals and has been approved.

Mr. Boiteau explained the only change made, at the request of the Engineering staff, was to the locus plan, which now identifies correctly the surrounding land use of abutter's property. In addition, the following concerns of the Engineering staff have been addressed and will be included as conditions in the final decision:

- The storm water control system will be privately maintained and retained under private ownership.
- There will be a restriction on automatic sprinkler systems for lawn watering.
- As-builts/final design drawings will be submitted to the Town. The only change is to the locus plan, which has been re-submitted to Engineering.

Mr. Freydburg stated at the last meeting he made a comment that the pool represented on the drawing was 20' x 43', but in fact what they intend to build is 20' x 40'. In addition, there are slight internal changes to the club house. These changes alter the size by approximately 150 square feet, but will not encroach on any of the setback requirements.

Mr. Capalbo asked for an explanation of the hours of use.

Mr. Freydburg explained the new pool will be used during the season only, the same hours as the current pool, 7 days a week, generally 10:00 am to 8:00 pm, depending on the weather. The location of the existing playground will become the detention pond and the playground will be moved to the location of the existing pool. The hours of the management office are roughly 9:00 am to 6:00 pm, and the hours of the workout areas are 24 hours with access via card or handprint only.

Mr. Capalbo asked how they will control usage so they're not getting outside people.

Mr. Freydburg responded the access to the pool is through the clubhouse. Residents will use a card and they will also be issued guest cards. The pool hours never fall outside of the hours of the clubhouse use.

Mr. Gordon stated the ZBA decision will become part of the Planning Board decision.

Helen McLaughlin, Old Laxfield Road, ask about the size of the pool and how many residents they expect when the buildings are full.

Mr. Freydburg reiterated the new pool will be 20' x 40' and they're expecting approximately 280 residents. He further explained the pool size is standard for this sized project. It's not the same configuration as the current pool and is adequate compared to all the other projects they've done of this size.

Ms. McLaughlin asked what they are going to do with the area where the current pool and tennis courts are now.

Mr. Freydburg stated the old tennis court stays where it is. The existing playground will become the detention basin and the playground will be moved to the site of the old pool.

There were no more comments from those present.

The Board voted to close the hearing.

The Board voted to approve the plan as presented. Mr. Gordon explained when the decision is filed it will be signed by the Town Clerk and after the 30-day appeal period, construction may begin on the clubhouse.

**7:35 P.M.      Wetherburn Heights, Definitive Subdivision Plan  
Continued Public Hearing (from January 9, 2003)  
(Decision Deadline: August 15, 2003)**

Mr. Gordon opened the hearing at 8:02 pm. The Board voted to grant an extension and the hearing was continued.

**7:40 P.M. Minna Terrace – Senior Housing Site Plan Approval/Special Permit  
Continued Public Hearing (from October 3, 2002)  
(Site Plan Approval Deadline: 65 days from close of hearing)  
(Special Permit Deadline: 90 days from close of hearing)**

Mr. Gordon opened the meeting at 8:03 pm. The Board voted to continue the hearing until Jack Perreault, Planning Board alternate, is present to vote on the plans.

Walter Jabs, attorney for the applicant, stated he is requesting a continuance because Jack Perreault, Planning Board alternate, was not present. In addition, he stated there is an outstanding issue of improvements in the public way of Walnut Street. The applicant along with the other parties on Walnut Street, have been attempting to work out an agreement to do those improvements in the public way and coordinate them with the Engineering Department. There have been substantial discussions and hearings, with progress made to the point where they hope to have an agreement among all the parties soon.

Mr. Gordon asked Attorney Jabs to clarify whether the five rental units belonging to Mr. Ali are going to fall under the affordable housing law or the state Section 8 law. Attorney Jabs replied they will be subject to the affordable housing law.

The Board voted in favor of continuing the hearing to September 4, 2003 at 7:15 pm.

**Request for Change in Order of Public Hearings**

Andrew Liston, of Thompson-Liston Associates, requested the Board open the 8:05 pm hearing, the Dunkin Donuts Site Plan Approval, prior to the next scheduled hearing, which is the Site Plan Approval for Five Pillar Center. Mr. Liston explained they would be asking for a continuance of the Dunkin Donuts hearing and it would be convenient for the large number of people in attendance specifically for the Dunkin Donuts hearing, to know the hearing was going to be continued.

Mr. Gordon asked Mr. Liston, also the representative of Five Pillar Center, if this change was acceptable to Mr. Ali, applicant for Five Pillar Center. He stated it was.

**8:05 P.M. Dunkin' Donuts Site Plan Approval  
Public Hearing  
(Decision Deadline: 65 days from close of hearing)**

Ms. Myers read the legal notice and opened the public hearing at 8:05 pm.

Mr. Liston stated they are requesting a continuance due to traffic and neighborhood concerns that need further time to be addressed.

The Board voted to continue the meeting to September 4, 2003 at 7:35 pm.

Mr. Gordon requested Mr. Liston re-notify the abutters of the continued hearing date and time by first class mail.



*Minutes for August 7, 2003*

**7:50 P.M. Five Pillar Center, Site Plan Approval  
Public Hearing  
(Decision Deadline: 65 days from close of hearing)**

Ms. Myers read the legal notice and opened the public hearing at 8:10 pm.

Mr. Gordon read general rules of order for the public hearing.

Mr. Andrew Liston, of Thompson-Liston Associates, introduced himself and Mr. Ali, a trustee of South Street Realty Trust (SSRT), owners of the land, and Mr. Walter Jabs, attorney for South Street Realty Trust. Mr. Liston explained this is the second time this proposal has been before the board. The Board has heard it and some of the neighbors have heard it. There was a missed neighbor in the notification process the first time and that has been corrected this time around. Certain open issues have been addressed in the most recent revised plan. They have also provided some additional information which needs to be clarified. He asked if the Board received the traffic report dated July 8, 2003 and the response to comments from his office dated July 30, 2003..

Mr. Denoncourt confirmed they did receive both of these documents.

Mr. Liston explained the property is the Knights of Columbus building on South Street. The property in total was purchased by SSRT, by Mr. Ansari and Mr. Ali. The Knights of Columbus building is undergoing renovation at this time, with an addition in the rear to become an academy. It is served by a septic system near the bocce courts. The property has been divided into two lots. The plans presented are only for Lot #1.

The Five Pillar Center proposal is to construct a new building, which will be attached to the existing building. Issues addressed from input at the first hearing include distance from, and connection to the existing building. The Building Inspector has been consulted and these issues have been resolved. In addition there were issues concerning fire protection and handicapped access. That has been taken care of since the connector will have an elevator and all floors will be covered by a mechanical lift. This is an associated, multi-function building attached to the school. It is primarily a gym, although it will have functions on Fridays during the 1 pm to 2 pm time frame. There is a duplex unit shown which is associated with that Friday function. The traffic study deals with all those issues and talks about the 115 students and the associated activities. This is a transplanted school which right now is in Northborough and has an understood population in terms of numbers, travel times and travel directions. Associated with the proposal for the Five Pillar Center is the reconfiguration of parking and access. At the request of the Fire Chief, a turnaround has been provided for emergency vehicles. Also, a full looping water main has been added for adequate fire-fighting ability, along with additional hydrants and proximity to the site of these connections on the building. Snow storage and landscaping plans have been presented. A lighting plan had also been presented, but they have prepared a revised plan which confirms there is no spillage across the property line and cuts down the average \_\_\_\_ candles to a .5 average all around the site. There is a letter in the files from Nancy Allen, Board of Health Agent, who has confirmed the system has a 6,000 gallon per day capacity. The reconfigured usage, including as many people as the code will allow in the building, the number of students in the school and a full compliment of people living in the town houses, doesn't yet reach 4,000 gallons per day, so the system is larger then required.

There has been a recent Title 5 inspection, and in addition they checked the system and proved to

themselves there is no back-up, no sludge, and no maintenance necessary in any components of the system. One of the tanks may be moved due to the construction work in the area to keep it from being under foot, but other than that there is no change proposed for the septic system. The landscaping package involves perimeter plantings. The only change will be grading for the alternate access for emergency vehicles, should that be necessary. There is no paved driveway proposal. They are upgrading the area to allow fire truck access if they need to come up the back side.

Mr. Rodolakis asked if this is an as-of-right use under the Zoning Bylaw.

Mr. Liston stated educational and religious uses and associations between them with accessory uses are all by right.

Mr. Rodolakis explain his concern was the entity that holds the title, South Street Realty Trust.

Mr. Liston responded they are the owner of both parcels.

Mr. Rodolakis asked if the title will ultimately be transferred to Al Hambra.

Mr. Liston stated there will be a separation of ownership interest upon completion of this work and will not be the same name owning both parcels. If this were a 40B project, it would move into a limited liability corporation of a different name. This would probably stay as the realty trust for this project.

Mr. Rodolakis stated the academy is not the applicant, it's SSRT. But the project is being represented as being used exclusively for educational or religious purposes.

Mr. Liston replied the application falls within the educational/associated uses such that they are not proposing uses for these buildings other than what has been stated in the application.

Mr. Rodolakis stated his only concern is the application before the Board is a Massachusetts Nominee Realty Trust, which is sort of unusual for a non-profit or an educational organization. He questioned if this is going to be a landlord/tenant relationship.

Mr. Ali stated it was.

Walter Jabs, Attorney for SSRT, explained the basic situation with this type of construction is there is no mortgage. There are only donations for all of the costs associated with the education, religious or medical facilities and therefore there has to be a method of generating the capital and constructing it. After construction, it will be used exclusively for the stated uses on this property. Were it to fall out of these uses, it would also fall out of compliance with the Zoning Bylaw.

Mr. Capalbo suggested a sidewalk wrapping around the front of the parking lot be added for safety of the students.

Mr. Liston responded they felt uncomfortable building a sidewalk on that sloping area or steepening the slope against it. However, if the Board considers it a reasonable condition it would be considered by the applicant.

Mr. Ali stated he has no problem with that.

Mr. Wright asked Mr. Liston to explain the existing parking situation on the site as opposed to the proposed parking.

Mr. Liston responded there are approximately 256 spaces presently, and the proposed amount is 98 spaces. A portion of the existing parking are in Lot 2 would remain. It would be possible to drive onto it because of the uncurbed prior turnaround.

Mr. Wright questioned whether there will be delineation between the two areas in terms of plantings or curbing.

Mr. Liston replied there is a proposal for landscaping, just outside the snow storage. He stated they would be happy to add separation between the two lots. The applicant may want to build something there in the future, but there is nothing planned now. The issue at the time the plan was developed was to shield a residential use in the back from an educational use in the front. The plan is for the part of the parking to be ripped up and replaced at a slightly different grade and at a better alignment, so there will still be a slab parking lot in this area, and the ability to go from one driveway onto the other parking area. But it's not proposed either under the requirements or under the zoning mandate of the parking count to have that space. It would be spillover space.

Mr. Wright stated it's important to note there will be more parking than the existing parking. He questioned whether a septic system was their only option.

Mr. Liston explained they did investigate and the sewer line could be brought up to the area. They are unable to gain an easement to go through to Route 20 on the short run and were they to do it, it would be an extremely deep run. The estimate was over \$500,000 to just build the pipe without the land rights. The only other way would be a pump station, a forced main, up to Route 20 with a pipe all the way down Route 20 about twice as far, down to the G & K Trucking driveway. That's where the sewer stops right now. Eventually it's going to go to the Allen Farm, or at least in the South Street area where the gas station is. Then it would be feasible to consider other options, but right now it's a town issue.

Mr. Gordon asked if the parking lot in front is in the buffer zone. He stated he understood that across South Street there are wetlands on somebody else's land.

Mr. Liston replied it is someone else's land and there are some bordering vegetated wetlands associated with the intermittent stream. A portion of this is probably in the buffer zone and will require they file with the Conservation Commission.

Mr. Gordon questioned whether this will be the only site plan.

Mr. Liston replied it is the only plan they are going to submit. There are not two or three different plans floating around. There are no other structures and will be no other construction

Mr. Gordon asked for an explanation regarding a letter from Nancy Allen, Board of Health agent, stating there is no provision for waste water disposal from the two-unit town house.

Mr. Liston explained they now have a plan, which haven't presented to the PB because they're not through with the Board of Health yet. It shows a connection from the town house to the septic tank and does make the provision for sewer leaving the units and getting to the system. The system has been ventilized, so it's less than 2/3 of the gallons per day that Ms. Allen mentions in her memo.

Mr. Gordon asked how this usage is calculated.

Mr. Liston responded this would be based on 110 gallons per day, per bedroom, which is the standard house rating. The school will be based on 20 gallons per day per student. That's the number that they, the BOH and the Building Inspector all have to agree is the appropriate number of students. In this case it's based on 115 students. If the Building Inspector says it's a different number based on occupancies that Ms. Allen should consider, then it would be a different volume. The multi-function addition will be 3 gallons per day per person, which they're maxing out at 300 within a space. The usual use of this is a basketball court/gymnasium floor-type usage, and would have far fewer people than that number.

Mr. Gordon noted a recommendation in the Police Chief's letter dated July 22, 2003 to include some type of rear driveway for access to emergency vehicles.

Mr. Liston referred to Sheet C5 of the plans that shows grading and a provision for the additional access for emergencies.

Mr. Gordon questioned whether they have settled with the Fire Chief on all the new hydrant locations and the looping of water.

Mr. Liston replied the Chief told them what he wanted and they did it.

Mr. Gordon asked if this is considered a single building because of the covered walk-way.

Mr. Liston responded it is actually a structured building. There is an elevator and a complete walk-through from the main floor of the school to the mezzanine level of the other building. It is not two separate buildings, but becomes a continuous building. They are dividing it from existing to proposed, so we have a school and an assembly building, but with the connection it is one building. If it weren't connected they would have a 50-foot separation between the primary structures.

Mr. Gordon asked if the property is taxable since it is being rented from a trust to a school.

Mr. Ali replied it is taxable.

Mr. Capalbo asked why the existing site driveway is being shown on the plan.

Mr. Liston replied they are showing a construction mat in the area of the existing site driveway because they're using it as primary access for construction vehicles, while keeping the street clean with the rumble strip. It's not meant to be open after construction is completed.

Mr. Gordon questioned if the parking lot would be used as access for any future development on the other lot.

Mr. Liston replied the choice of how they would do things would be the function of emergency services. If they were doing anything there, they would be come before the Board for either a permit or for some other board.

Mr. Gordon stated if they altered the turnaround and there was emergency access, it would be expected they would come before the Board.

Scott Ladner, 515 South Street, regarding the snow removal plans, stated the plans that were before the Engineering Department on July 14, 2003, had snow piling up in front of South Street. He stated this is a concern for him because South Street floods very easily and he questions whether it would be the best management practice to have snow piled in this area.

Mr. Liston replied there are snow-piling areas in various areas around the site. When any parking lot situation gets to the point of excessive snow, it has to be scooped and trucked off. However, piling of snow can't create a condition that causes both runoff and icing or flooding of the road. He suggested the proposed storage area could be eliminated and they could work back towards the edges of the land within our control that they are not using.

Mr. Gordon stated they would add a condition that there will be no snow storage along South Street. He asked if there are catch basins in the front parking lots.

Mr. Liston replied they have provided for an inlet to take some of the flows that pond up and bring them through the drain system. It doesn't all get treated. That which they can capture above treatment which has to be on our property, they are treating. But they can't put their treatment unit within the town way.

Mr. Denoncourt said they were satisfied with the drainage system.

Linda Ladner, 515 South Street, stated they have reviewed the drainage plans that were submitted to the Engineering Department on July 14<sup>th</sup> and they stated all storm water would be treated and then released on the opposite side of South Street, which would be drain #11.

Mr. Liston stated that, looking on Sheet C3, there is an existing release there already.

Ms. Ladner asked if there is a connection from Drain #9 on that plan, which is by the 2 residential units, to the Vorteks he sited.

Mr. Liston responded that is a drain line coming around the back, which goes through detention under the parking lot, joins the drain line and goes over to the treatment.

Mr. Ladner questioned if the piping under South Street would need modification

Mr. Liston replied the inlet needs modification and there is also proposed replacement of the pipe in the same location, the same length. There's been some crushing of the pipe because of the traffic.

Mr. Gordon questioned if these are going to be Vorteks units.

Mr. Liston replied they will be. It will be private maintenance. According to the DEP regulations and review of the research on all units, Vorteks are the only unit that actually complies with the rules and regulations.

Mr. Gordon stated it will forever be private maintenance and not the town's.

Mr. Liston agreed and explained one of the concerns of the town is they cannot be cleaned without a vacuum truck. All of the silts and solids trapped by them can be. While it's true that the clamshell can't pick up the floating oils, it is possible to take them out with sponges or absorbent pads.

Mr. Gordon replied that will be private and the Board will need a maintenance schedule for it.

Mr. Liston replied the schedule is on Sheet C7.

Betsy Wetherbee, 507 South Street, explained she is an abutter of Lot 2 and is concerned about the blind corner on South Street that caused a fatality in front of her house last fall. She wondered if they would be closing one of the existing entrances.

Mr. Liston replied that right now there are two entrances – the small one that goes up to the trash area and the main drive that goes into the parking lot and drop off. The proposal is that once this is built both of the existing entrances will be closed and only one will be left as a paved, wide-open area. There is also grading in one area, but that would only be if an accident did occur in that area, it would be for emergency vehicle access.

Mr. Gordon asked what the sight distance is on the new driveway.

Mr. Liston replied it's 300 feet off the existing driveway, but in the area Ms. Wetherbee was referring to, it approaches a negative sight distance.

Ms. Wetherbee asked if a traffic light has been considered for Route 20.

Mr. Liston replied it's often talked about, but traffic lights are only permitted when Mass Highway warrants a level of critical need. He doesn't believe the intersection has met those levels of need and doesn't know of anybody who's proposed something of an impact to meet those levels of critical need.

Ms. Wetherbee asked if the entire water loop is on Lot #2.

Mr. Liston explained the water loop is at the request of the Fire Chief for additional flow potential and more places for hydrants. The majority of it is proposed on Lot #2.

Ms. Wetherbee questioned the lights going around the whole perimeter.

Mr. Liston replied they do, but the plan is being revised right now. He explained they had proposed a lighting plan which had lights closer to her than there will be now. They have now eliminated all lights that were against her property, in favor of only the ones in the parking lot and the wall packs looking down over the doors. They are also going to provide shortly an analysis plan which shows how much light gets as far as the property lines in measure of foot candles. It will be greatly diminished compared to the first version.

Mr. Sherman Wetherbee, 507 South Street, referring to the drainage plan, stated there's going to be a lot more water across the road than what goes across now. The problem is, and maybe people in the town don't know this, you have Bummet Brook on the other side, it meanders down and crosses underneath South Street at the junction of 9 and Brook Street. Every couple of years, if we have a great snow amount and rain, South Street and Brook Street flood right over the road in that area, where the brook goes underneath. Now you're putting more water into that system so it's going to be more likely to flood. Every couple years it floods across the street on South Street, the highway dept. goes down and puts up a saw horse for a couple of days and people slow down and if you drive too fast you get your car splashed. But this is going to make that problem worse.

Mr. Liston replied under the rules of the town, they are required to reduce the rate of flow leaving the site after construction, over what now leaves the site. In this case they will run it through a long series of zigzagging pipes. In addition, prior to the discharge, they have reduced the flow rate to less than what is now going into it and they're putting up a great deal more landscaping. He added they have looked at all the properties as to what's going overland as well, to make sure they're reducing that flow.

Mr. Wetherbee stated where the duplexes are and where the road entrance is was all wetlands. It was filled when the Knights of Columbus built the building. On that side of the road that area is a lot wetter than the other side of the road.

Mr. Liston replied they have not seen wetlands there now.

Chris Kirk, 30 Westwood Road, asked Mr. Liston where the boundary of Lot #1 is. He stated he was asking because the Fire Chief asked Mr. Liston to include a turnaround at the back of the property, and so, in order to get permission to go ahead with this project he has to include in Lot #1 a little bit of Lot #2.

Mr. Liston replied he has permission to use Lot #2 because it is owned by the same people who own Lot #1. He added they'll be getting an easement for it as well as for the water main.

Mr. Kirk also asked if the children attending the school will be driven by bus or by parent drop off. I presume it's all by parents, but I don't know.

Mr. Ali responded they would always be dropped off by parents.

Mr. Liston added there is no public transportation available.

Mr. Gordon informed Mr. Kirk a traffic study is available in the Engineering Department, which covers this issue.

Scott Ladner stated there's a new house and a steep hill on the property owned by Royal Wetherbee, but the Engineering plans dated July 14, 2003 show the parcel prior to these changes. He questioned

Mr. Liston answered the issues that they're concerned with and the grades he was talking about are only those within their control on their property. They take into consideration what's going towards the property line and the rate of flow before and after construction, not whether there are one or two houses on the property now.

Mr. Gordon explained the rules and regulations state post runoff can't exceed pre-runoff, so they will have to show that they've met those requirements.

Jim Desimone, 511 South Street, stated he was concerned about the additional traffic from the school.

Mr. Rodolakis stated he would like to include a restriction of the townhouse use by faculty or clergy only in the decision.

The Board voted unanimously to continue the hearing.

**8:20 P.M.      Shell and Great American Tire and Auto Service  
Lot 5E, Boston Hill Corporate Center  
Informal Discussion requested by BSC Group, Inc.**

Doug Vigneau, of BSC Group, introduced himself and Steve Pappa, of Service Star. Mr. Vigneau gave a brief description of the project and Board members asked questions regarding the proposed traffic signal, widening of Route 20 and storm water runoff into Little Bummet Brook in Northborough.

#### **4. New Business**

##### **a. Appointments of Delegates to Central Massachusetts Regional Planning**

The Board voted to appoint Jill Meyers as the Planning Board delegate, and Kathleen Keohane as the Town's delegate, to CMRPC. Mr. Denoncourt will send a note to CMRPC informing them of these appointments and to let them know the Planning Board meets on the first Thursday of every month, as they do, so the Planning Board's delegate will be unable to attend unless CMRPC changes their meeting date.



**4. New Business (Cont'd)**

**b. Bond Release for Toblin Hill Estates (Accepted Streets)**

The Board voted to release the balance of the subdivision bond for Toblin Hill Estates, Phase 4 and the balance of the bond for Toblin Hills Estates accepted streets.

**c. Bond Release for Tip Pond Road (Accepted Streets)**

The Board voted four in favor of releasing the balance of the bond for Tip Pond Road, which has been recorded at the Worcester Registry of Deeds as a public way. Mr. Rodolakis recused himself.

**d. Bond Release for Old Stolpe Farm II (Accepted Streets)**

The Board voted to allow a reduction of the remaining balance of the bond for Old Stolpe Farm II, under the condition of the final approval of the Engineering Department. There are as-builts that have not been submitted and, in addition, there is a street-lighting problem with Old Stolpe Farm I. Mr. Gordon wants enough money left in the bond for Old Stolpe Farm II to cover any similar issues.

**e. Bond Release for Jamestown Heights (Accepted Streets)**

The Board voted unanimously to approve release of the bond for the Jamestown Heights accepted streets.

**f. Bond Reduction for Marshall Estates**

The Board voted unanimously to approve a bond reduction for Marshall Estates.

**5. Old Business**

**a. Discussed/Approved Bond Amount and Covenant Release for Park Grove Farm**

**b. Bond Reduction for High Meadow Estates**

The Board voted unanimously to approve the bond reduction for High Meadow Estates.

**c. Discussed/Signed Decision for Summit Ridge Estates**

After a brief discussion, the Board signed the decision for Summit Ridge Estates.

**6. Correspondence**

**Lot 3, Flanagan Drive:** The Board reviewed a letter from Aristotelis and Gloria E. Panagiotou, of 109 Francis Avenue, regarding Lot 3, Flanagan Drive, which abuts their property. Mr. & Mrs. Panagiotou requested the Planning Board direct the Engineering office to conduct an on-site inspection of the drainage system. Their letter also requested no occupancy permit be issued for the site until any drainage problems were corrected.

**Edgemere Diner:** The Board voted to recommend against support of the decision by the Massachusetts Historical Commission to nominate the Edgemere Diner to the National Register of Historical Places as part of the Diners of Massachusetts Multiple Property Submission. The Board authorized the chairman to write a letter if requested by the Selectmen.

Respectfully Submitted,

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*Debbie Grampietro*